

PLEA MINUTE SHEET
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO (AT ALBUQUERQUE)

CR 05-1849 JH		UNITED STATES vs. KIRWIN		
Before The Honorable Robert H. Scott, United States Magistrate Judge				
Hearing Date: February 22, 2007		Time In and Out:		9:27 am - 9:36 am (9 min)
Clerk: Mary Archuleta		FTR Information:		FTR/HONDO
Defendant: MELANIA KIRWIN		Defendant's Counsel:		John Samore
AUSA: JAMES BRAUN		Interpreter:		none
<input checked="" type="checkbox"/> Defendant Sworn		<input type="checkbox"/>	First Appearance	
<input checked="" type="checkbox"/> Consent to proceed before a magistrate judge and original plea agreement reviewed and executed by Deft.				
<input checked="" type="checkbox"/> Deft acknowledges receipt of: (Indictment or Information)				
If Deft proceeding by way of information, Deft acknowledges right to an indictment and waives that right.				
<input checked="" type="checkbox"/> Terms and conditions of proposed plea agreement explained.				
<input checked="" type="checkbox"/> Factual predicate to sustain the plea provided.				
<input checked="" type="checkbox"/> Deft questioned re Deft's age, education, physical/mental condition, and whether under the influence of alcohol, drugs, or any medication. Deft advised of charge(s), penalties and possible consequences of the plea.				
<input checked="" type="checkbox"/> Deft advised of constitutional rights, loss of rights, and maximum possible penalties (including imprisonment, fine, supervised release, probation, SPA, restitution, and any forfeitures).				
<input checked="" type="checkbox"/> Deft questioned re time to consult with attorney and if satisfied with his or her representation.				
<input checked="" type="checkbox"/> Court finds Deft fully understands charge(s), terms of plea, and the consequences of entry into plea agreement.				
<input checked="" type="checkbox"/> Deft pleads GUILTY to: COUNT 1 OF SUPERSEDING INDICTMENT				
<input checked="" type="checkbox"/> Allocution by Deft on elements of charge(s).				
<input checked="" type="checkbox"/> Court finds plea freely, voluntarily, and intelligently made; plea of guilty accepted.				
<input checked="" type="checkbox"/> Deft adjudged guilty.				
<input checked="" type="checkbox"/> Acceptance of plea agreement deferred until final disposition hearing by district judge.				
<input checked="" type="checkbox"/> Sentencing Date: to be notified				
Defendant to Remain in Custody				
<input checked="" type="checkbox"/> Present conditions of release continued		<input type="checkbox"/>	Conditions changed to:	
Penalty for failure to appear explained				
<input checked="" type="checkbox"/> Presentence Report Ordered		<input type="checkbox"/>	Expedited (Type III)	
Other Matters:				